



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Patent application

of _____
Inventor(s)for _____
Title of Invention

OR

In re application of: Henry E. Rogers et al.

Application No.: 0 10 / 786,573

Group Art Unit: 3672

Filed: February 25, 2004

Examiner: unknown

For: Removable Surface Pack-Off Device For Reverse Cementing Applications

Mail Stop Amendment

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT WITHIN THREE MONTHS OF FILING OR BEFORE MAILING OF FIRST OFFICE ACTION (37 C.F.R. § 1.97(b))

CERTIFICATION UNDER 37 C.F.R. §§ 1.8(a) and 1.10*

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* Only the date of filing (§ 1.6) will be the date used in a patent term adjustment calculation, although the date on any certificate of mailing or transmission under § 1.8 continues to be taken into account in determining timeliness. See § 1.703(f). Consider "Express Mail Post Office to Addressee" (§ 1.10) or facsimile transmission (§ 1.6(d)) for the reply to be accorded the earliest possible filing date for patent term adjustment calculations.

NOTE: 37 C.F.R. 1.98(b):

- (1) Each U.S. patent listed in an information disclosure statement must be identified by inventor, patent number, and issue date.
- (2) Each U.S. patent application publication listed in an information disclosure statement shall be identified by applicant, patent application publication number, and publication date.
- (3) Each U.S. application listed in an information disclosure statement must be identified by the inventor, application number, and filing date.
- (4) Each foreign patent or published foreign patent application listed in an information disclosure statement must be identified by the country or patent office which issued the patent or published the application, an appropriate document number, and the publication date indicated on the patent or published application.
- (5) Each publication listed in an information disclosure statement must be identified by publisher, author (if any), title, relevant pages of the publication, date, and place of publication.

WARNING: No extension of time can be had under 37 C.F.R. § 1.136 (a) or (b) for filing an IDS. 37 C.F.R. § 1.97(f).

NOTE: The "filing date of a national application" under 37 C.F.R. § 1.97(b) has two possible meanings. Where the filing is a direct one to the United States Patent & Trademark Office, the filing is defined in 37 C.F.R. § 1.53(b) as "the date on which: (1) A specification containing a description pursuant to § 1.71 and at least one claim pursuant to § 1.75; and (2) any drawing required by § 1.81(a), are filed in the Patent and Trademark Office in the name of the actual inventor or inventors as required by § 1.41." 37 C.F.R. § 1.97(b)(1). On the other hand, an international application that enters the national stage occurs when the applicant has filed the documents and fees required by 35 U.S.C. § 371(c) within the periods set forth in § 1.494 or § 1.495. 35 U.S.C. § 371(c) requires the filing of the following: (1) the basic national fee; (2) a copy of the international application, unless already sent by the International Bureau, and optionally an English translation if filed in another language; and, also optionally (3) amendments under PCT Article 19, with a translation into English if made in another language; (4) an oath or declaration; and (5) a translation into English of any annexes to the international preliminary examination report, if such annexes were made in another language. The optional items must be submitted later, with surcharges. 37 C.F.R. § 1.97(b)(2).

IDENTIFICATION OF TIME OF FILING THE ACCOMPANYING INFORMATION DISCLOSURE STATEMENT

The information disclosure statement submitted herewith is being filed within three months of the filing date of the application or date of entry into the national stage of an international application or before the mailing date of a first Office action on the merits, whichever event occurs last. 37 C.F.R. § 1.97(b).

NOTE: "No certification or fee is due when the filing is made within the above time period. It is advisable to ensure that no Office action has been mailed if the disclosure statement is delayed until after three months from filing."

NOTE: "An information disclosure statement will be considered to have been filed on the day it was received in the Office, or on an earlier date of a mailing if accompanied by a properly executed certificate of mailing under 37 C.F.R. 1.8, or Express Mail certificate under 37 C.F.R. 1.10. An Office action is mailed on the date indicated in the Office action." Notice of April 20, 1992 (1138 O.G. 37-41, 39). See also § 609, M.P.E.P., 8th Edition.

NOTE: "The term 'national application' includes continuing applications (continuations, divisions, continuations-in-part) so three-months will be measured from the actual filing date of an application as opposed [sic] to the effective date of a continuing application." Notice of April 20, 1992 (1138 O.G. 37-41, 39).

NOTE: "An action on the merits means an action which treats the patentability of the claims in an application, as opposed to only formal or procedural requirements. An action on the merits would, for example, contain a rejection or indication of allowability of a claim or claims rather than just a restriction requirements (37 C.F.R. 1.142) or just a requirement for additional fees to have a claim considered (37 C.F.R. 1.16(d)). Thus, if an application was filed on Jan. 1 and the first Office action on the merits was not mailed until six months later on July 1, the examiner would be required to consider any proper information disclosure statement filed prior to July 1." Notice of April 20, 1992 (1138 O.G. 37-41, 39).

WARNING: "A petition for suspension of action to allow applicant time to submit an information disclosure statement will be denied as failing to present good and sufficient reasons, since 37 C.F.R. § 1.97 provides adequate recourse for the timely submission of prior art for consideration by the examiner." Notice of July 6, 1992 (1141 O.G. 63). But see § 103(b) and (c), limited suspension of action in a continued prosecution application (CPA) filed under § 1.53(d) and in a request for continued examination (RCE) under § 1.114.

Reg. No.: 35,415

Tel. No.: (580) 251-3782

Customer No.:


SIGNATURE OF PRACTITIONER

John W. Wustenberg
(type or print name of practitioner)

P.O. Box 1431
P.O. Address

Duncan, OK 73536-0440

(Transmittal of Information Disclosure Statement Within Three Months of Filing or Before Mailing of First Office Action [8-3]—page 3 of 3)



PATENT
HES 2003-IP-012756U1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants:	Henry E. Rogers et al.)	
)	
)	Art Unit: 3672
)	
Serial No.:	10/786,573)	
)	
Filed:	February 25, 2004)	Examiner: Unknown
)	
For:	REMOVABLE SURFACE PACK-OFF)	
	DEVICE FOR REVERSE CEMENTING)	
	APPLICATIONS)	

INFORMATION DISCLOSURE STATEMENT

ASSISTANT COMMISSIONER FOR PATENTS
Washington, D.C. 20231

SIR:

The following documents are known to Applicants or Applicants' attorneys and are submitted for the Examiner to consider in the above-captioned application.

U. S. PATENTS

U.S. Patent No. 2,647,727 issued August 4, 1953 to C.R. Edwards.

U.S. Patent No. 2,675,082 issued April 13, 1954 to J.A. Hall.

U.S. Patent No. 2,919,709 issued January 5, 1960 to H.E. Schwegman.

U.S. Patent No. 3,051,246 issued August 28, 1962 to E.H. Clark, Jr. et al.

U.S. Patent No. 3,277,962 issued October 11, 1966 to D.H. Flickinger et al.

U.S. Patent No. 3,948,322 issued April 6, 1976 to Eugene E. Baker.

U.S. Patent No. 3,951,208 issued April 20, 1976 to Charles G. Delano.

U.S. Patent No. 4,105,069 issued August 8, 1978 to Eugene E. Baker.

U.S. Patent No. 4,548,271 issued October 22, 1985 to Stuart R. Keller.

U.S. Patent No. 5,024,273 issued June 18, 1991 to Malcolm G. Coone et al.

U.S. Patent No. 5,297,634 issued March 29, 1994 to Michael J. Loughlin.

U.S. Patent No. 5,494,107 issued February 27, 1996 to Robert E. Bode.

U.S. Patent No. 5,507,345 issued April 16, 1996 to Clyde D. Wehunt, Jr. et al.

U.S. Patent No. 5,890,538 issued April 6, 1999 to Robert M. Beirute et al.

U.S. Patent No. 6,098,710 issued August 8, 2000 to Erik Rhein-Knudsen et al.

U.S. Patent No. 6,244,342 B1 issued June 12, 2001 to Bobby L. Sullaway et al.

U.S. Patent No. 6,311,775 B1 issued November 6, 2001 to Jerry P. Allamon et al.

U.S. Patent No. 6,467,546 B2 issued October 22, 2002 to Jerry P. Allamon et al.

U.S. Patent No. 6,481,494 B1 issued November 19, 2002 to Ronald G. Dusterhoft et al.

U.S. Patent No. 6,484,804 B2 issued November 26, 2002 to Jerry P. Allamon et al.

U.S. Patent No. 6,540,022 B2 issued April 1, 2003 to Ronald G. Dusterhoft et al.

U.S. Patent No. 5,571,281 issued November 5, 1996 to Thomas E. Allen.

U.S. Patent No. 5,494,107 issued February 27, 1996 to Robert E. Bode.

U.S. Patent No. 5,890,538 issued April 6, 1999 to Robert M. Beirute et al.

U.S. Patent No. 6,244,342 B1 issued June 12, 2001 to Bobby L. Sullaway et al.

U.S. Patent No. 6,810,958 B2 issued November 2, 2004 to David D. Szarka et al.

U.S. Patent No. 6,808,024 B2 issued October 26, 2004 to Kenneth L. Schwendemann et al.

U.S. Patent No. 6,758,281 B2 issued July 6, 2004 to Bobby L. Sullaway et al.

U.S. Patent No. 6,666,266 B2 issued December 23, 2003 to Phillip M. Starr et al.

U.S. Patent No. 6,622,798 B1 issued September 23, 2003 to Henry E. Rogers et al.

U.S. Patent No. 6,318,472 B1 issued November 20, 2001 to Henry E. Rogers et al.

U.S. Patent No. 5,829,526 issued November 3, 1998 to Henry E. Rogers et al.

U.S. Patent No. 5,803,168 issued September 8, 1998 to Terry N. Lormand et al.

U.S. Patent No. 5,647,434 issued July 15, 1997 to Bobby L. Sullaway et al.

U.S. Patent No. 5,641,021 issued June 24, 1997 to Dick A. Murray et al.

U.S. Patent No. 5,273,112 issued December 28, 1993 to Roger L. Schultz.

U.S. PATENT APPLICATION PUBLICATION

U.S. Patent Application Publication No. 2003/0072208 A1 published April 17, 2003 to Joel Rondeau et al.

FOREIGN PATENTS

Russian Patent No. 571584 published September 5, 1977.

Russian Patent No. 1 542 143 published December 15, 1994.

Russian Patent No. 2 086 752 published August 10, 1997.

European Patent Application No. EP 0 419 281 published March 27, 1991.

United Kingdom Patent Application No. GB 2 348 828 published October 18, 2000.

United Kingdom Patent Application No. GB 2 327 442 published January 27, 1999.

OTHER MATERIAL

SPE 87197 paper entitled "Reverse Circulation of Primary Cementing Jobs – Evaluation and Case History, by J. Davies et al., dated March 2, 2004.

SPE 25540 entitled "Evaluation of the Effects of Multiples In Seismic Data From the Gulf Using Vertical Seismic Profiles" by Andrew Fryer, dated 1993.

SPE 29470 entitled "Monitoring Circulatable Hole with Real-Time Correction" Case Histories" by James E. Griffith, dated 1995.

IADC/SPE 35081 entitled "Drill-Cutting Removal in a Horizontal Wellbore for Cementing" by Krishna M. Ravi, dated 1996.

SPE/IADC 79907 entitled "Advances in Tieback Cementing" by Douglas P. MacEachern et al., dated 2003.

Copies of the aforementioned non-patent references and Form PTO-1449 are submitted herewith.

Respectfully submitted,



JOHN W. WUSTENBERG
Registration No. 35,415
Halliburton Energy Services
P. O. Box 1431
Duncan, OK 73536-0440
580-251-3782



FORM PTO-1449 (Modified) LIST OF PATENTS AND PUBLICATIONS FOR APPLICANT'S INFORMATION DISCLOSURE STATEMENT (Use several sheets if necessary)	ATTY. DOCKET NO. 2003-IP-012756U1	SERIAL NO. 10/786,573
	APPLICANT Henry E. Rogers et al.	
	FILING DATE February 25, 2004	GROUP 3672

U.S. PATENT DOCUMENTS

EXAMINER INITIAL		Document No.	Date	Name	Class	Subclass	Filing Date if Appropriate
	AA	2,647,727	08/04/53	Edwards	255	28	
	AB	2,675,082	04/13/54	Hall	166	22	
	AC	2,919,709	01/05/60	Schwegman	137	68	
	AD	3,051,246	08/28/62	Clark, Jr. et al.	166	226	
	AE	3,277,962	10/11/66	Flickinger et al.	166	15	
	AF	3,948,322	04/06/76	Baker	166	289	
	AG	3,951,208	04/20/76	Delano	166	78	
	AH	4,105,069	08/08/78	Baker	166	51	
	AI	4,548,271	10/22/85	Keller	166	291	
	AJ	5,024,273	06/18/91	Coone et al.	166	289	
	AK	5,297,634	03/29/94	Loughlin	166	387	

FOREIGN PATENT DOCUMENTS

		Document No.	Date	Country	Class	Subclass	Translation	
							Yes	No
	AL	571584		Russia	E21B	33/14		X
	AM	RU 1 542 143	12/15/84	Russia	E21B	47/00		X
	AN	RU 2 086 752	08/10/97	Russia	E21B	33/14		X
	AO	0 419 281 A2	03/27/91	Europe	E21B	33/13	X	
	AP	GB 2 348 828 A	10/18/00	United Kingdom	E21B	33/13	X	

OTHER ART (Including Author, Title, Date, Pertinent Pages, Etc.)

	AR		SPE 25540 entitled "Evaluation of the Effects of Multiples In Seismic Data From the Gulf Using Vertical Seismic Profiles" by Andrew Fryer, dated 1993.
	AS		SPE 29470 entitled "Monitoring Circulatable Hole with Real-Time Correction: Case Histories" by James E. Griffith, dated 1995.
	AT		IADC/SPE 35081 entitled "Drill-Cutting Removal in a Horizontal Wellbore For Cementing" by Krishna M. Ravi, dated 1996.

EXAMINER

DATE CONSIDERED

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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	AA	5,494,107	02/27/96	Bode	166	285	
	AB	5,507,345	04/16/96	Wehunt, Jr. et al.	166	285	
	AC	5,890,538	04/06/99	Beirute et al.	166	285	
	AD	6,098,710	08/08/00	Rhein-Knudsen et al.	166	285	
	AE	6,244,342 B1	06/12/01	Sullaway et al.	166	285	
	AF	6,311,775 B1	11/06/01	Allamon et al.	166	285	
	AG	6,467,546 B2	10/22/02	Allamon et al.	166	381	
	AH	6,481,494 B1	11/19/02	Dusterhoft et al.	166	51	
	AI	6,484,804 B2	11/26/02	Allamon et al.	166	291	
	AJ	6,540,022 B2	04/01/03	Dusterhoft et al.	166	278	
	AK	5,571,281	11/05/96	Allen	366	2	

FOREIGN PATENT DOCUMENTS

		Document No.	Date	Country	Class	Subclass	Translation	
							Yes	No
	AL	GB 2 327 442 A	01/27/99	United Kingdom	E21B	21/06	X	
	AM							
	AN							
	AO							
	AP							

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	AR		SPE/IADC 79907 entitled "Advances in Tieback Cementing" by Douglas P. MacEachern et al., dated 2003.					
	AS		IADC/SPE 87197 entitled "Reverse Circulation of Primary Cementing Jobs - Evaluation and Case History" by Jason Davies et al., dated 2004.					
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	AC	6,244,342 B1	06/12/01	Sullaway et al.	166	285	
	AD	6,810,958 B2	11/02/04	Szarka et al.	166	285	
	AE	6,808,024 B2	10/26/04	Schwendemann et al.	166	387	
	AF	6,758,281 B2	07/06/04	Sullaway et al.	166	386	
	AG	6,666,266 B2	12/23/03	Starr et al.	166	90.1	
	AH	6,622,798 B1	09/23/03	Rogers et al.	166	380	
	AI	6,318,472 B1	11/20/01	Rogers et al.	166	382	
	AJ	5,829,526	11/03/98	Rogers et al.	166	291	
	AK	5,803,168	09/08/98	Lormand et al.	166	77.2	

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							Yes	No
	AL							
	AM							
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	AA	5,647,434	07/15/97	Sullaway et al.	166	242.8	
	AB	5,641,021	06/24/97	Murray et al.	166	291	
	AC	5,273,112	12/28/93	Schultz	166	374	
	AD	US 2003/0072208	04/17/03	Rondeau et al.	366	16	
	AE						
	AF						
	AG						
	AH						
	AI						
	AJ						
	AK						

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